

## REMARKS

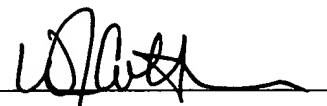
Applicant notes at the outset that a Notice of Improper FWC Filing has previously been mailed in this present application. On October 9, 1997, the Office mailed a Notice indicating that the above-captioned application was not filed prior to the apparent May 31, 1997 abandonment of the parent application, Serial No. 08/767,291. Applicant then replied to this first Notice with a petition for revival of the parent application (for the purpose of establishing continuity).

Although Applicant is somewhat unsure why a second Notice has now been mailed by the Office and can see no reason why this second Notice should indicate that the parent application was abandoned on July 30, 1997, Applicant does concede that its previous submissions did contain some technical deficiency. As a result, Applicant now replies to this present Notice as follows: (1) a renewed petition for the revival of application Serial No. 08/767,291 has been concurrently filed in the Office of Petitions (DAC) and (2) the Application Processing Division (OIPE) is now notified of the renewed petition's filing. Applicant respectfully requests that application Serial No. 08/904,121 be maintained on file pending disposition of the petition by DAC. The OIPE is also respectfully requested to coordinate any further action in this present application with DAC, which has likewise been requested to coordinate with the OIPE.

In light of all the foregoing, Applicant respectfully requests that the above-captioned application be granted a filing date of July 31, 1997 and thereafter be passed for examination without further delay. In the meanwhile, any further correspondence regarding this matter should be directed to the undersigned..

Respectfully submitted,

Dated: 09/15/98  
WAYNE J. COLTON, INC.  
P.O. Box 461209  
San Antonio, Texas 78246-1209  
Telephone: 210 495 3975  
Telecopier: 210 495 3981

  
Wayne J. Colton  
Agent for Applicant  
Registration No. 40,962

*101. App. Divis.*